

## INMATE GRIEVANCE COMPLAINT

Great Meadow Com. Fac.

Grievance No.

ALI CIBBE # 14-A-2736 BH-B-S

Grievant's issue: Constitutional tort; Retaliation; Negligence; Discrimination; Deliberately indifference; And Failure to follow departmental procedure.

Description of incident: As a result of an incident that took place at Clinton Com. Fac. on 4-18-21, (Where i was accused of assaulting a staff member) the Joint venture of DOCCS and OMT known as JCNC or JMCC at Great Meadow Com. Fac. retaliated against me by leaving me in the SHU for 87 days. This committee had full knowledge of my mental health status of Is and my diagnosis but discriminated against me by not moving me to a unit which was OMT accommodating within the ~~the~~ time frame required by the provisions in the Mental hygiene law and SHU exclusion law. Prior to or within this time span, every incarcerated individual that were diagnosed as a Is or were eventually diagnosed as a Is that were admitted to the SHU were immediately moved to an OMT accommodating setting for pre-hearing confinement but not in my case i was left to rot in the SHU.

This Joint venture of DOCCS and OMT consistently displayed their opposition. They falsified documents and fabricated orders such as cell shield order, full restraint order and modified feed-up (phase one) for nearly a month and a half. Early on they demonstrated they were out to make my stay miserable. My incoming and outgoing mail were tampered with, my visitor was harassed and forced to throw away her watch in order to see me and \$5 was stolen out of the \$30 cash she left upfront for me (9 July 21), i was not afforded a commissary buy, i was deprive of the opportunity to contact my family abroad, and misbehavior reports were fabricated against me during my time in the SHU.

Signature (Grievant): A.C

Date: 10 July 21.

Grievance Clerk:

Date:

Actions Requested: I request the full procession of this Grievance.  
And the reimbursement of the stolen funds. Opportunity  
to make my international phone calls.

Marcy Corr. Fac.  
Law Library FORM 52.  
ALI C188E #14-A12736.

Marcy Corr. fac.

Box 3600.

Marcy, N.Y. 13403-3600.

U.S. DISTRICT COURT - N.D. OF N.Y.  
**FILED**  
**FEB 17 2022**  
AT \_\_\_\_\_ O'CLOCK  
John M. Domurad, Clerk - Albany

Date: 2/17/22

Lerk

RE: ALI C188E v. Annucci

King

Snow

Patterson

Mason

Bishop

John Doe#1

Santo

Moore

Lagree

Frazer

Caringi

Miller

Lovett

Bryan

Fredricks

Rizzo

Mesunas

O'Gorman

Begaw

Collins

Dill-Lewis

Williams

Henley

Murphy

Velie

Villano

Mead

John Doe#2

Barbosa

Stoddard

Tripodi

Kubaryk

Deans

Gross

Blen-Aime

Corey

Joo.

District Doc. No.

Dear Sir/Madam:

Enclosed please find a copy of the following papers relevant to the filing of A § 81983 Civil Rights Complaint.

A. Civil rights Complaint.

Respectfully,

A.C.  
II

Petitioner, Pro Se.

UNITED STATES DISTRICT COURT  
for the  
Northern District of New York  
Division.

1. CAPTION OF ACTION.

A.

ALI CISSE'

Plaintiff

-VS-

- |                          |                                   |                         |
|--------------------------|-----------------------------------|-------------------------|
| B. 1. Anthony J. Annuci. | 16. Joseph Corey.                 | 31. John Doe #2.        |
| 2. Gregory King.         | 17. Jamie Lovett.                 | 32. R. Barbosa.         |
| 3. Martin Brown.         | 18. Randy Gross.                  | 33. Terilee Shaddard.   |
| 4. Aron J. Patterson.    | 19. Robert Besaw                  | 34. Nicholas Tripodi.   |
| 5. Erik C. Mesunias.     | 20. Bryan (don't have full name). | 35. Anthony Kubany.     |
| 6. Bryan Mason.          | 21. Keegan Fredricks.             | 36. Philippe Bien-Aime. |
| 7. Reginald Bishop.      | 22. Erica Rizzo.                  | 37. Vivian Joo.         |
| 8. Hilary Deans.         | 23. Melissa Collins.              | 38. James O'Gorman.     |
| 9. John Doe #1.          | 24. Danielle Dill-Lewis.          |                         |
| 10. Kevin Santo.         | 25. Jamie L. Williams.            |                         |
| 11. Darnell Moore.       | 26. K. Henley.                    |                         |
| 12. Christopher Lagree.  | 27. George Murphy.                |                         |
| 13. Colin Frazer.        | 28. Eric Velie.                   |                         |
| 14. Armand Laringi.      | 29. Anthony Villano.              |                         |
| 15. Christopher Miller.  | 30. A. Mead.                      |                         |

## 2. STATEMENT OF JURISDICTION.

This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the constitution of the United States. This action is brought pursuant to 42 U.S.C. § 1983. The court has jurisdiction over the action pursuant to 28 U.S.C. §§ 1331, 1343(5) and (4), and 2201.

## 3. PARTIES TO THIS ACTION.

### PLAINTIFF'S INFORMATION:

ALI CLASSE #14-A-2736.

Marcy Corr. Fac.

Box 3600.

Marcy, N.Y. 13403-3600.

### DEFENDANT(S) INFORMATION:

Name of Defendant: Anthony J. Annucci.

Official Position: A/Commissioner.

Defendant is sued in Individual & Official Capacity.

Address of Defendant: DOCCS, State Office Bldg #2, State Office Campus, Albany, N.Y. 12226.

Name of Defendant: Gregory King.

Official Position: Sergeant.

Defendant is sued in Individual & Official Capacity.

Address of Defendant: Clinton C.F., 1156 Route 374, Dannemora, N.Y. 12929.

Name of Defendant: Martin Snow.

Official Position: Lieutenant.

Defendant is sued in Individual & Official Capacity.

Address of Defendant: Clinton C.F., 1156 Route 374, Dannemora, N.Y. 12929.

Name of Defendant: Alan J. Patterson.

Official Position: Correction Officer.

Defendant is sued in Individual & Official Capacity.

Address of Defendant: Clinton C.F., 1156 Route 374, Dannemora, N.Y. 12929.

Name of Defendant: Erik C. Mesunas.

Official Position: Correction Officer.

Defendant is sued in Individual & official capacity.

Address of Defendant: 851 Plank Road, Ellenville Depot, N.Y. 12935.

Name of Defendant: Bryan Mason.

Official Position: Sergeant.

Defendant is sued in Individual & official capacity.

Address of Defendant: Clinton C.F., 1156 Route 374, Dannemora, N.Y. 12929.

Name of Defendant: Reginald Bishop.

Official Position: Deputy Superintendent for Security.

Defendant is sued in Individual & Official capacity.

Address of Defendant: Clinton C.F., 1156 Route 374, Dannemora, N.Y. 12929.

Name of Defendant: Robert Besaw.

Official Position: Investigator.

Defendant is sued in Individual & Official capacity.

Address of Defendant: Division of the NYSP (unknown).

Name of Defendant: Hilary Deans.

Official Position: Inmate Records Coordinator I.

Defendant is sued in Individual & Official Capacity.

Address of Defendant: Clinton C.F., 1156 Route 374, Dannemora, N.Y. 12929.

Name of Defendant: John Doe #1.

Official Position: Sergeant.

Defendant is sued in Individual & Official capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: Kevin Banto.

Official Position: Sergeant.

Defendant is sued in Individual & Official capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: Darnell Moore.

Official Position: Sergeant.

Defendant is sued in individual & official capacity.

Address of Defendant: Unknown.

Name of Defendant: Christopher Lagree.

Official Position: Sergeant.

Defendant is sued in individual & official capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: Colin Frazer.

Official Position: Captain/Acting Des.

Defendant is sued in individual & official capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: Armand Laringi.

Official Position: D.S. S.

Defendant is sued in individual & official capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: Christopher Miller.

Official Position: Retired.

Defendant is sued in individual & official capacity.

Address of Defendant: Unknown.

Name of Defendant: Joseph Corey.

Official Position: Acting Superintendent.

Defendant is sued in individual & official capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: Jamie Lovett.

Official Position: Acting Deputy Sup't For program.

Defendant is sued in individual & official capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: Brandy Gross.

Official Position: Deputy Superintendent For Administration.

Defendant is sued in Individual & official capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: Bryan (Full name unknown).

Official Position: ORC.

Defendant is sued in Individual & official capacity.

Address of Defendant: Great Meadow C.F., 11739 state Route 22, Comstock, N.Y. 12821.

Name of Defendant: Keegan Fredicks.

Official Position: Correction Officer.

Defendant is sued in individual & official capacity.

Address of Defendant: Marcy Cof., 9000 old river road, Marcy, N.Y. 13403.

Name of Defendant: Erica Rizzo.

Official Position: Correction officer.

Defendant is sued in Individual & official capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: Melissa Collins.

Official Position: Deputy Superintendent For Mental Health.

Defendant is sued in Individual & Official Capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: Danielle Dill-Lewis.

Official Position: OMH unit Chief.

Defendant is sued in Individual & official capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: Jamie L. Williams.

Official Position: Notary Public.

Defendant is sued in Individual & official capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: K. Henley.

Official Position: Commissioner Hearing Officer.

Defendant is sued in Individual & Official Capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: George Murphy.

Official Position: Lieutenant.

Defendant is sued in Individual & Official Capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: Eric Velie.

Official Position: Sergeant.

Defendant is sued in Individual & Official Capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: Anthony Villano.

Official Position: Correction Officer.

Defendant is sued in Individual & Official Capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: James O'Gorman.

Official Position: Deputy Commissioner, Correctional Facilities.

Defendant is sued in Individual & Official Capacity.

Address of Defendant: 1220 Washington Ave., Bldg. 9, Albany, N.Y. 12226.

Name of Defendant: A. Mead.

Official Position: IGRIC Supervisor.

Defendant is sued in Individual & Official Capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: John Doe # 2.

Official Position: IGRIC Sergeant.

Defendant is sued in Individual & Official Capacity.

Address of Defendant: Great Meadow C.F., 11739 State Route 22, Comstock, N.Y. 12821.

Name of Defendant: B. Barbosa.

Official Position: Commissioner Hearing officer.

Defendant is sued in Individual & Official capacity.

Address of Defendant: Marcy C.F., 9000 old river road, Marcy, NY 13403.

Name of Defendant: Terilee Stoddard.

Official Position: O. R. C.

Defendant is sued in Individual & Official capacity.

Address of Defendant: Great Meadow C.F., 11739 state route 22, Comstock, NY 12821.

Name of Defendant: Nicholas Tripodi.

Official Position: O.R.C.

Defendant is sued in Individual & Official capacity.

Address of Defendant: Great Meadow C.F., 11739 state Route 22, Comstock, NY 12821.

Name of Defendant: Anthony Kubark.

Official Position: Correction Officer.

Defendant is sued in Individual & Official capacity.

Address of Defendant: Great Meadow C.F., 11739 state Route 22, Comstock, NY 12821.

Name of Defendant: Philippe Bien-Aime.

Official Position: Correction Officer.

Defendant is sued in Individual & Official capacity.

Address of Defendant: Great Meadow C.F., 11739 state Route 22, Comstock, NY 12821.

Name of Defendant: Vivian Joo.

Official Position: Assistant District Attorney.

Defendant is sued in Individual & Official capacity.

Address of Defendant: County Government Center, 137 Margaret st, Plattsburgh, NY 12901.

#### 4. PREVIOUS LAWSUITS IN STATE AND FEDERAL COURT.

I have not begun any other lawsuits in state or Federal Court dealing with the same facts involved in this action.

## 5. STATEMENT OF CLAIM.

- ★. Religion.
  - ★. Search & Seizure.
  - ★. Deliberately Indifference.
  - ★. Free Speech.
  - ★. Equal Protection.
  - ★. Access to the Courts.
  - ★. Due Process.
  - ★. Malicious Prosecution.
  - ★. Cruel & unusual Punishment.
- 1<sup>st</sup>, 8<sup>th</sup>, & 14<sup>th</sup> Amendments of the US & NY Constitution.

2. On Mon, April 12<sup>th</sup> - 2021, while in the north yard during 6-9 recreation period at Clinton Com. Pac. shortly after 8pm, i was amongst a group of incarcerated individuals by the phone bank waiting to get on the phone when i heard commotions than everybody in the area begin to dispersed so i hollered suit to get away from whatever had happened when i observed correctional officers running towards us ordering us to get on the ground. While on the ground correction officer Aron Patterson begin picking individuals out and i was one of the individuals he picked out as an alleged perpetrator. Here he had gave a description to the area supervisor of who he thought was a perpetrator. A description i did not match his description of the perpetrator ad long dreadlock while i had an Afro but officer patterson still pointed me out. Then i heard an officer questioned 'that's what we doing now we hitting officers now?' While he looked around for an answer.

A Sgt. begin ordering Com. Officers to escort us inside there were about 11 officers. When we arrived to the blacktop at the entrance of the north yard there were a female officer at the door taken down names and numbers i was between the middle and the end of the group. When i was brought to the door i gave my name, d#t#, and cell location than i was escorted in where i found an officer waiting. He ordered when i take off my cuffs off put your hand high and flat on the wall than he begin strip-searching me. After the search, i was escorted to my cell by the same 10 officers who had brought me in from the yard. My I.D and the items such as address book, chapstick, and pen) were returned to me by the officers before they left.

Shortly after a lt, and about 3 officers walked past my cell (VH- 9-3) going towards the back. When they walked back past my cell going towards the front of the Company they were escorting someone who they said was the perpetrator then the rest of the population that were in the yard came in under

the same conditions we were brought in under.

On wed, April 14<sup>th</sup> 2021, after offering my afternoon Muslim prayer when i returned to my cell from a law library call-out at approximately 1:30 pm. I started preparing my hygiene products for Ramadan showers then organized my religious items for Ramadan call-out after the showers. When Sgt Mason, C.O. Dubrey, and C.O. Reese appeared in front of my cell and ordered me to put my hands through the feed-up slot i was handcuffed behind my back and escorted to the front of the Company where was pat-frisked before i was escorted to D-Block 7 cell. After being secured in D-Block 7 cell the Sgt. and corr. officers left just to returned few minutes later and instructed me to put my hands through the feed-up slot. I was handcuffed again and escorted to the clinic first floor where was strip-frisked for SHU admission and medically examined by RN Angela N. and then photos were taken. i was then escorted to the SHU holding cell. SHU staff conducted SHU clotheens exchange, i was BOSS chained then escorted to SHU 13 cell where i was deprived of liberty and property for the next two days.

I was repeatedly told by SHU officers that per DCS Bishop that i was not to come out my cell for nothing. I was denied my SHU admission phone call, showers, and recreations. I had no access to the outside world was denied headphones to listen to music or T.V. news matterfact SHU 3 cell didn't have a wall jack. I was denied the opportunity to inform my family of my whereabouts or conditions. I was deprived basis human rights i was denied cleaning supply to clean my cell. SHU 13 cell was so filthy it looked like it hadn't been cleaned in years i would have much rather slept on the streets for those two days than in SHU 13 cell. Due to its impurity, i couldn't offer acts of worship. I was denied writing supplies which i had to get from my neighbors, the bed linens i was given were dirty, and were used by multiple people without being laundered. The order of DCS Bishop and actions of the SHU officers made Ramadan extremely difficult there was not a minute that went by that i was not in distress, depress, angry, sad, or upset. The combination of these emotions and hunger constantly made me have suicidal thoughts.

On Thursday, April 15<sup>th</sup>-2021, At sometime in the morning i was interviewed by NYSP BCI. They read me my minanda rights and asked me questions in respect to an officer being assaulted. I asked them is that the reason am i allegedly in the SHU they responded 'Yes'. I informed them step by step of every activity i engaged in during the recreation period 6-9 pm) in the north yard on the 12<sup>th</sup> of April. After the interview i was escorted back to my cell. Actually am not sure which event took place first but i was also served a fabricated misbehavior report by C.O. abrena which was reported by Sgt B. Mason and endorsed by C.O. zese and C.O. dubrey accusing me of rule violation(s) 106.10 Refusing a direct order and 109.12 Movement Regulation violation. No disciplinary hearing was held pertaining to this fabricated misbehavior report after filed a rebuttal complaint with the grievance office at Clinton Corr. fac. which the 16RHC office attempted to sweep under the rug by not addressing).

On Friday, April 16<sup>th</sup>-2021, evening DSS Bishop and the executive team members stopped in front of my cell (SHU 13) and laughed at me before they walked off. This was degrading it made me feel like an animal at a zoo. Awhile after this humiliating experience at approximately 6:30 pm i was told to get dress by a Sgt and a few SHU officers. Then i was uncuffed, chained, and shackled before i was escorted to the SHU holding pen where i was strip-frisked and processed for a direct transfer. I informed the great meadow sgt (John Doe #1) while in the SHU holding pen that i was fasting and to insure that i receive a Ramadan feed-up tray when i arrive at great meadow because i hadn't eaten all day John Doe #1 ignored me. I was handed a pair of used boots that i refused to wear because they belonged to someone else John Doe #1 stated 'this is when you start doing what you're told'. I responded 'am not wearing someone else boots' John Doe #1 turned off his bodycam and entered the SHU holding pen followed by three great meadow officers (who travelled with me along with the sgt.). I warned John Doe #1 'if he even think about laying a finger on me i will take him to the highest Court in the land and by the time i'm done with him he'll be poor as a church mouse'. He instead ordered the officers to tighten the shackles stating 'he can slip them because he doesn't

ave boots on'. If you ever wore shackles you know this is a lie its impossible  
 to slip shackles. He wanted to torture me and watch me suffer which is  
 exactly what happened. Before the shackles were tightened the handcuffs  
 were tightened and the waistchains were tightened to the extend that they  
 threatened to encase my ribcage this torturous abuse made it difficult  
 to breathe. Be mindful, i have asthma when we got to the van another  
 waistchain was used to connect the waistchain around my waist to the  
 shackles. This second waistchain was tighten to the point it was impossible to  
 sit-up the entire trip i was pretty much bent over i informed John Doe #1  
 this is unsafe and theres no way i can protect myself during this ride.  
 he ignored me and the two officers who were in the back of the van with  
 me also ignored me. We left Clinton Corr. Fac. at 7pm sharp and arrived  
 to Great Meadow Corr. Fac. at 9:19pm the officer who drove drove fast  
 which made me uncomfortable, nervous, unsafe, and frightened me the entire d  
 uring (it was raining also). The second waistchain was removed in front of  
 the facility before i existed the van and entered the facility through the  
 front entrance. The officer who removed the waistchain threaten me 'am  
 going to remove this chain but if you kick me you're going to eat this  
 concrete' i ignored his threats.

When we arrived at the front gate i informed John Doe #1 again that  
 am Muslim and am participating in Ramadan i haven't eaten all day'  
 he responded you're not eating. The waistchain, handcuffs, and shackles  
 were removed and i was handcuffed behind my back then i was escorted  
 to the rotunda where we made a right and cut through the keeplock  
 creation holding pens on our way to F-Block. In F-Block, i was  
 taken to the strip-frisk area where i was interviewed by medical and  
 M.H. I informed both nurses that am Muslim and am participating in  
 Ramadan i didn't eat all day they each responded that's a security  
 issue talk to security. After these interviews i was interviewed by a short  
 st. who was pretending to be a tough guy by talking extra loud and  
 aggressive like he was trying to prove a point. When this interview/interven  
 tion concluded i informed this Sgt. of my Ramadan feed-up tray he  
 ignored me. i was escorted to F-1-24 cell after being secured the officers  
 including both srgts (John Doe #1 included) left. I didn't receive a Ramadan  
 feed-up tray or a sahor(breakfast) bag i was force to fast on an empty stomach

the next day. I damn near starved to death it felt like I was on the verge of famine. This was the circumstances John Doe#1 created for me to practice Ramadan in a torturous and abusive condition.

On April 18<sup>th</sup>-21, I was written up for a false misbehavior report accusing me of violating 106.10 Direct Order and 112.21 Count procedure violation of the inmate rule book reported by C.O. P. Bien-Aime which was dismissed without a disciplinary hearing. Again I filed a counter complaint expressing concerns pertaining to the retaliations great meadow officers were inflicting upon me. C.O. P. Bien-Aime fabricated this misbehavior report in retaliation. GRC Supervisor Mead did not assess this Complaint which I appealed to the Superintendent and DRC they too did not address my grievance.

On April 20<sup>th</sup>-2021, not long after 8AM I was served a misbehavior report accusing me of assaulting C.O. Mesunas on April 12<sup>th</sup> 2021. The misbehavior report which charged 100.11 Assault on staff; 104.11 violent conduct; 100.15 Disorderly conduct; 104.13 creating a disturbance; and 17.10 Interference with employee of the rule book was dated April 16<sup>th</sup> 2021 and reported by Sgt. King. Just before noon two officers began screwing ass (cell shield) onto my cell door I asked what are they doing? One of the officers responded we were ordered by Sgt. K. Santo. Almost about an hour later I received a cell shield order, modified feeding procedure request form (phase one), and a restraint order. Each recommendation were made by Sgt. K. Santo a cell shield was ordered for the following reason(s): On 04/19/21 inmate made threats to staff of serious physical injury to a staff member on 04/12/21 as a result of this cell shield, you will not be eligible to receive a tablet or weekly phone call. Once you show positive behavior the order will be revoked. A change in my feeding procedure was requested for the following reason(s): On 04/20/21, Inmate CISSE caused serious physical injury to staff and continues to make threats of assaulting staff. A cell shield was ready in place and I am requesting the inmate be placed on this procedure to keep staff safe when delivering or collecting feed-up trays to and from this inmate. And a restraint order was put in place for the following reason(s): This inmate was a direct transfer from Clinton C.F. to Great Meadow C.F. because

he inmate violently assaulted security staff at Clinton C.F. causing serious physical injury to staff while out to recreation.

As a result of these false and fabricated orders i was deprived of my new admission phone call to inform my family and friends of my transfer or of my conditions. I was deprived of my weekly phone calls for a month (the entire holy month of Ramadan) i wasn't even allowed to contact my family or friends on Eid-al-Fitr (the Islamic holiday that marks the end of Ramadan) not only was this devastating to me as a Muslim it created unnecessary hardship and distress on my family and friends who frantically contacted the facility and central office in Albany about my well-being. I was sad, depressed, distressed, upset, and degraded when i should've been happy during the month of Ramadan and on Eid-al-Fitr. The unnecessary hardship i endured no human being should endure under my circumstance this was retaliation, discrimination, abuse, torture, harassment, negligence, and the department did not stop there.

The modified feeding procedure (phase one) was the first order to be revoked about two weeks after it was ordered. This order was revoked only because the SHU officers did not want to enforce this order ~~anymore~~. Everytime i was fed and the sgt's. did not want to be bother with this order because they had to be present when enforced. And the SHU sgt's. had stopped renewing this order matterfact the initial notice was the only notice i received. The second order to be revoked was the cell shield order after four weeks and three renewals this order was discontinued. This cell shield order had the most impact and interfered with my religion. It was difficult and uncomfortable to offer acts of worship. it was extremely hot, there were no air circulation, even the walls were sweating everything was often moist and humid. Before the discontinuance of this order sgt's. Darnell Moore, Christopher Lagrec, and Kevin Santos each respectively renewed this order without justification or logical cause except to uphold their institutional loyalty and to abuse their authority. These sgt's. used these orders as weapons of punishment to deprive me of liberty, and property, and potentially of life. They knew by inflicting these unwarranted abusive and torturous orders they could lead to suicide especially with my severe mental illness (OMH level 1s). There were times and days i wanted to just kill myself to put an end to the abuse. On

5/17/21, Sgt. K. Santo felt satisfied and content with his actions so he recommended the removal of the cell shield. On his recommendation he lied and stated he interviewed me which is false me and Sgt. K. Santo did not speak, interact, let alone an interview on 5/17/21. I spoke to Sgt. K. Santo on two separate occasions the first was on 4/20/21 when he recommended the orders to be put in place and much later in regards to my property. The acting DSS/Captain Colin Frazer and Superintendent Christopher Miller are liable also because they each signed off on these orders without verifying the authenticity or further investigations for the reason(s) for the orders and they too had a intention to retaliate against me as stated by the Captain/A/DSS 'The safety and security of staff is of utmost importance your returns warrant this order to protect staff from your assaultive nature'. He also approved restraints in the exercise area even though I was already locked in a 6 by 10 cage. The restraint order was the last order to be revoked almost 3 months after it was ordered. This order was not reviewed or renewed it was just enforced until it was revoked.

On May 12<sup>th</sup> 2021, I was escorted to the property room where I was informed that only 4 bags out of 11 bags were sent and that the remaining bags will be shipped at my expense. Later that evening I filled out necessary documents to have my property shipped to me. This came early a month without my property and the first 4 bags that were sent contained mostly items that are not allowed in a SHU cell. The property officer at Clinton corr. fac. or whoever sent the first 4 bags knew these bags contained items that were not allowed in SHU cell and according to directive they knew that its permissible for a prisoner to transfer with 4 bags of property and 1 bag of legal material but they ignored DOCCS policy in order to inflict unnecessary hardship on me.

On the 14<sup>th</sup> of May, 2021, I wrote the acting Deputy Superintendent or program Jamie Lovett the first of many letters pertaining to my international phone calls after she suggested I write her about this matter during her weekly round earlier in the week. I also wrote her on June 5<sup>th</sup>, and July 1<sup>st</sup> 2021 letters she never responded to. For 3 months

(April 16<sup>th</sup>-July 8<sup>th</sup>, 2021) she told me lies after lies about my international phone calls. Her and OHC Bryan conspired to deprive me the opportunity to contact my family abroad in Africa, France, and Germany. OHC Bryan also told me lies after lies and consistently fed me false information. Both individuals made excuses and delayed my phone calls until i was moved to a different location (STU) within the facility. They both knew i was entitled to an international phone call (2 per m.) but purposely discriminated against me and abuse their authority which caused me emotional anguish, sadness, distress, and made me depressed. Jamie evett and OHC Bryan both had access to my file and knew that outside of my mother, younger brother, and uncle (who flew to Africa at that time) the rest of my family was based in Africa (Ivory Coast) and Europe (France, Germany, UK, and Italy) but they discriminated against me and conspired to deprive me the opportunity to contact my family during Ramadan, on Eid-al-Fitr, and well beyond in retaliation for what i was accused of. They treated me different than other prisoners in the STU by failing to accommodate what am entitled to, and depriving me of my rights.

On the 13<sup>th</sup> of June -2021, i was again escorted to the property room this time to retrieve the remainder of my property the 7 bags had arrived. The next day i received a pinkslip from a disbursement form in the mail indicating that i was charged \$ 290.05 for the shipment of my property. According to this pinkslip i was charged \$ 262.05 for my property and \$ 28.00 for boxes my property did not come in. This same after i was repeatedly inform by DOCCS personnels that O.S.I. and NYS-PBCI had my property respectively. To this day i have yet to receive my receipt or documents indicating that my property went through the postal service. I have FOIL requested any receipt or documents relating to my property after not receiving a response from the facility i appealed to the OIL office in the central office and i'm currently awaiting their response. also filed an inmate claim (#040-0082-21) which led to a claim in front of the NYS Court of Claims and has yet to be assign.

On 24 June 2021, i was served a fabricated misbehavior report accusing me

§ 101.20 Lewd Conduct reported by E. Rizzo dated 23 June 2021. This fabricated misbehavior report was dismissed after i requested the audio and video and called E. Rizzo as a witness at my initial hearing. This was another failed retaliation attempt and mischaracterization. Lewd conduct is a degraded act and a sin for practicing Muslim. This accusation caused me sadness, depression, distress, and emotional anguish.

On 5 July 2021, i was served another fabricated misbehavior report alleging violated 104.13 create a disturbance, 107.11 Harassment, and 107.20 false formation of the rule book reported by K. Fredricks. This false misbehavior report was also dismiss. C.O. Fredricks claim that i provided false information based on a conversation i had with an OMH nurse due to physician-patient confidentiality what i discuss with an OMH nurse is confidential therefore C.O. K. Fredricks violated my HIPAA rights. C.Os Fredricks and E. Rizzo conspired against me for what i was accused (the assault of C.O. Mesuras) and in an effort to prevent me from making a SHU PIMS Level 3 and as a result of their retaliation i lost my SHU IMS level 2 and the privileges that came with it thereby inflicting unnecessary hardships and emotional setbacks. K. Fredricks worked on 3 June 2021 the day E. Rizzo fabricated misbehavior report was dated, the day they begin to enforce their conspiracy.

On the 8<sup>th</sup> of July 2021, after nearly 3 months (87 days) from April 12<sup>th</sup> July 8<sup>th</sup>, 2021, in the SHU i was transferred within the facility to BHU a unit that is OMH accommodating due to my diagnosis of mental health status (level 1s). A joint venture of DOCCS and OMH known as JCMC or JMCC at GMCF intentionally retaliated against me by leaving me in the SHU for nearly 3 months. A committee that consist of the executive team of DOCCS (included but not limited to Christopher Miller, Joseph Corey, Randy Gross, Armand Carangi, Colin Lazer, Jamie Lovett, Melieera Collins) and the unit chief of OMH (Danielle Dill-Lewis). All other OMH personnel's had full knowledge of my mental health status of level 1s & my diagnoses but discriminated against me by not moving me to a unit which is OMH accommodating within the timeframe required by the provisions in the Mental Hygiene Law and SHU exclusion law. Prior to or within this timespan, every incarcerated individual that were diagnosed as OMH level 1s (One's) or were eventually

iagnosed as OMH level 1s that were admitted to the BHU were immediately moved to an OMH accommodating setting for pre-hearing confinement but not in my case i was left to rot in the BHU.

Shortly after i was moved to BHU i spoke to deputy supt for Mental Health Collins during program at my request. She promised me a full time cut and a commendation to central office to house me at a facility close to home if i stayed out of trouble but on Aug 27<sup>th</sup> 2021 she pull me out for a callout because he wanted me to sign off on the grievance complaint pertaining to the joint venture of DOCCS and OMH known as SCMC or JMCC retaliatory and discriminatory actions against me. I did not signed off this complaint because he failed to present logical resolutions instead she lied and attempted to mislead me. As a result of her failed attempt to resolve the complaint she further retaliated against me out of spite by not keeping her promise and the BHU Time cut committee (dep. Collins heads) held a discretionary review during which i was not approved for a time cut because 'I continuously challenges security direction and DOCCS conduct of behavior guidelines'. Not only does the latter shows the retaliation and discrimination i endured but its a clear mischaracterization because i never challenged security direction and DOCCS conduct of behavior guidelines during my stay in BHU and theres no documents that will support the BHU Time cut committee's discretionary review. DOCCS and OMH employees' desperately wanted me to misbehave that they actually believed their own preconceived notions.

On July 23<sup>rd</sup> 2021, i filed a grievance against the Notary Public Jamie L. Williams) after being upset. I made multiple requests via law library & facility correspondence i even informed counselors and the executive team on funds that i needed notary. in a letter dated 25 April 21, i requested notary for a Notice of Intent to file a claim but to no avail the Notary Public never showed up to Notarize my Notice of Intent. i made similar requests in my correspondence dated 15 May, 10 June, 30 June, and 15 July 2021, still Jamie L. Williams did not show up to Notarize my legal documents. The actions of Jamie L. Williams infringed my constitutional right of access to the courts. This was done intentionally, retaliation and discrimination in order to deny and discourage me from accessing the courts. This caused me emotional anguish and distress especially after i informed Jamie L. Williams in my letters of the 90 days timeframe to file a Notice of Intent.

In 27 Aug. 21, i was informed by an OFC that the Notary Public would be coming to notarize my legal documents therefore get them ready but Ms. Jamie L. Williams at GMCF did not show up until September 3<sup>rd</sup>-2021, to notarize my notice of intent. (well beyond the 90 days time limit).

On Aug. 25-2021, when i returned to my cell from program my belongings were in a disarray, all my legal documents were missing and my bed sheets were also gone my neighbor who didn't have program that morning told me that C. Villano and other officers including Sgt. Velli entered my cell with a trash can. These employees' trashed my cell and confiscated my bed ~~linens~~ ~~linens~~ ~~linens~~ ~~linens~~ ~~linens~~ ~~linens~~ and all my legal papers without leaving a contraband receipt. Lt. Murphy who had conducted the rehearing pertaining to the April 12-21 incident ordered Sgt. Velli to confiscate all documents pertaining to this rehearing on me because he illegally removed me from the rehearing and didn't want me to appeal his determination. Lt. Murphy, Sgt. Velli, and C.O. Villano infringed my abilities to exhaust my administrative remedies without just cause and they denied me my right of access to the courts when they confiscated my legal documents which interfered with my habeas corpus in front of the Southern District of New York (Case 1:20-CV-03869-LGS-RWL). My habeas corpus may well be dismissed by now because i no longer possess documents in relation to this case. In the process of carrying out Lt. Murphy's order Sgt. Velli ordered his henchman C.O. Villano who carried the orders out, my bed linens were never returned i slept on a bare mattress for the next 2 plus days until i was transferred to Marcy Corr. Fac. in late/early Sept.-Oct, and my legal documents were never returned either. I informed dep. Collins, A/Supt. Avery, DSS Carling, Capt. Frazer, A/DSP Loretta, DBA Gross, and Lt. Murphy on numerous occasions they each stated they'll look into it but Lt. Murphy just laughed at me before walking away.

The IGRC supervisor A. Mead & IGRC Sgt. (John Doe#2) denied me access to the courts and attempted to silence me by not processing my grievances when i attempted to exhaust my administrative remedies. Every complaint i filed claiming to staff malfeasance she did not process she even intentionally held up of my complaints pertaining to Transportation / Ramadan signed and dated by 1st-21 past its time limit and then returned it to me stating 'that i

was beyond the 21 day time limit for filing' in response i requested in writing an exception to the twenty-one day filing deadline to the grievance clerk in accordance with Directive # 4040 but i did not receive a response from the LGHC supervisor. She has a history of conspiring with the grievance sgt. (John Doe# 2) to not process complaints she didn't just do this to me she has done it to other prisoners and i'm positive the records would reflect that. I filed a total of 12 complaints during my stay at great meadow f. but A. Mead and John Doe# 2 only processed 3 two of which were related to 'self-carry Meads' and 'Bell for SHU' and the third titled 'Not zoned to OMH unit' which she did not originally process she only processed this complaint because DSMH Collins felt she could resolve this complaint. Her i appealed it to the superintendent. The other 9 complaints that were about staff malfeasance and misconduct (which are detailed in this claim) he refused to process and when i appealed them to the superintendent (Christopher Miller and later Joseph Corey) they did not respond nor addressed these complaints and the LGHC followed suit by not addressing my complaints.

The Acting Commissioner Anthony J. Annucci and Deputy Commissioner or Correctional facilities James O'Gorman were well aware of my history at Great Meadow Com. Fac. in November 2017, i was accused of assaulting a staff and officers and as a result of that incident i was admitted to a psych ward (CNYPC). Anthony J. Annucci and James O'Gorman knew that by sending me back to Great Meadow Com. Fac. i would be at risk and subjected to retaliations. They ignored all the red flags, they ignored the complaints my family and friends made to them on my behalf, and they also ignored my complaint letters, and calls i made to O.S.I. They intended exactly what happened because they knew that Great Meadow has a history of retaliating and oppressing prisoners who returned there and i wasn't the first prisoner to endure such circumstances. They intentionally set me up because of what i was accused of (the assault incident on 04/12/21) and they knew that am an OMH level 1 patient and should've been accommodated under normal conditions. They should've been admitted to a setting that was OMH accommodating (which would've appeared under normal conditions) but they discriminated against me to inflict unnecessary hardship. Although they did not directly participate in the conducts themselves but after learning of the violations through reports and complaints they

ailed to remedy the wrongs thereby allowing to continue unconstitutional practices that were occurring and was grossly negligent in managing the subordinates who caused the unlawful events and failed to act on information indicating that unconstitutional acts were occurring. I was held in SHU for 3 months in violation of the Mental Hygiene Law and SHU exclusion law. The executive team at Great Meadas also set the tone or the retaliations i endured at their facility as stated by the A/DSS 'The safety and security of staff is of utmost importance. Your returns warrant us order to protect staff from your assaultive nature' in his authorization or approval for the fabricated orders that were imposed without justification to punish me.

Almost three weeks before being accused of assaulting C.O. Mescunas i received two consecutive letters dated March 23<sup>rd</sup>, March 26<sup>th</sup>-2021 in response to my application for clemency from the Executive Clemency Bureau indicating that i was under preliminary review for clemency for this reason and a previous assault on staff i believe i was framed for assaulting C.O. Mescunas. Prior to being framed another prisoner was framed for the assault and physical assaulted. In letters to Anthony Annucci and James O'Gorman expressed concerns about my property, my rights being violated due to retaliation and i requested them to appoint investigators other than those at Clinton C.F. to thoroughly investigate the matter but neither responded to my letters.

Sgt. King authored the misbehavior report. Not only did he embellished the misbehavior report but it was subjective. The identity of the perpetrator in the surveillance video was never establish he was never identify and to put a face to the perpetrator with the poor quality of the surveillance video is reaching under the color of law. The report deprive solely from his viewpoint - a bias viewpoint and was contradicted by the VI report and To-FROM memorandum. Sgt. King testified at my initial superintendent hearing then contradicted himself at the rehearing and the second rehearing. Each time he testifies he gives a different version of testimony. And this inconsistancy has damaged me with repeated sanctions being imposed against me that has kept me confined since April 14<sup>th</sup>-2021. Sgt. King did not even testify at the Grand Jury proceedings.

The lack of investigative skills training has been manifested repeatedly through reports and his testimonies.

C.H.O K. Henley conducted my initial superintendent hearing. She violated my substantive and procedural rights throughout the proceeding. The hearing began on 4-21-21 and was not concluded until 7-1-21 nearly 3 months after confinement. HO K. Henley violated my rights to material witness by denying nearly half of the witnesses i called and confiscated the VI report and TO-FROM remos from me at the hearing after my assistant had provided me with such documents thereby impairing my defense. She was bias and prejudice, lied about policies, and imposed sanctions that were not within departmental guidelines. She imposed 76 days prehearing SHV, 654 days of SHV, 654 days lost of all privileges, 30 days lost of tablet and 12 months recommended lost of hoodtime. On July 20, 2021, this hearing was reviewed and reversed with a rehearing granted to commence within 7 days and complete within 14 days (Tape # 422-21).

Lt. Murphy conducted the rehearing. He also violated my substantive and procedural rights throughout the proceeding. He was bias and prejudice, consistently redirected and reordered my questions, and led witnesses in order to get the answers he wanted from them. He totally abandoned his role as the impartial decision maker and removed me from the rehearing for taking an objection in order to avoid conducting the entire hearing. He imposed sanctions not within the publish guidelines 124 days prehearing SHV, 606 days SHV, including 606 days lost of all privileges and 12 months recommended lost of hoodtime. This rehearing was reviewed and reversed on Oct 15, 2021. Rehearing granted to commence within 7 days and complete within 14 days (Tape # 822-21).

C.H.O R. Barbosa conducted the second rehearing. He too violated my rights to a prompt hearing. The hearing began on 10-20-21 and was not completed until 1-14-21 three months after the rehearing had been granted. He violated my substantive and procedural rights he interfered with my tier assistant and prevented her from retrieving documents on my behalf. He denied material evidence by not calling most of the witnesses i called and deprived me

he opportunity to present the hearing tapes from the previous hearings to impeach the testimonies of certain witnesses and mitigating evidence. He lied by stating that those previous hearing tapes were expunged in a memo by A. Rodriguez, Acting Director of special housing/inmate disciplinary program when no such memo existed. He imposed sanctions of within the publish guidelines 273 days SHU pre-hearing confinement, 57 days SHU, including 357 days lost of packages, commissary, and phones. This hearing is pending appeal. C.H.O. R. Barbosa admitted on record that he could not identify the perpetrator in the surveillance video alleged to be (Tape # 21-1387).

Assistant District Attorney Vivian Soo is liable for malicious prosecution for the initiation of a prosecution against the plaintiff without probable cause and begun with malice which resulted in a termination in the plaintiff's favor. ADA Vivian Soo misinstructed the grand jury and presented witnesses Bryan Mason (who gave a false testimony under oath), Erik L. Mesunas (who testified on hearsay under oath), Aron J. Patterson (who gave a false testimony under oath), Lt. Martin Snow and Investigator Robert Besaw (both of whom gave subjective testimonies under oath) which prejudice me. This indictment was solely motivated by malice and was not supported by evidence. ADA Vivian Soo had full knowledge at the event Sgt. Bryan Mason testified to the misbehavior report in relation that event was dismissed without a hearing and had access to the audio video facing D-1-7 cell which is solid proof that i did not make the statements Sgt. Bryan Mason alleged. Sgt. Bryan Mason intended to inflict unnecessary hardship by fabricating a misbehavior report and due the fact that that did not work he took it a step further to prejudice me by testifying to those false statements under oath at the Grand Jury proceedings. ADA Vivian Soo had full knowledge that the information Erik Mesunas was in possession of was based on hearsay but she allowed him to testify to those information anyway. In a memo from RN Lisa P. McCormick to RN Tanie Harrigan, Def. of Health services dated 4/28/2021, she (RN McCormick) indicated she met the emergency, who was known to her as a C.O. Mesunas in the ER. As she recall C.O. Mesunas was talking to them throughout his entire time in the ER, he was alert to

erson, but had no idea what had happened. And at sometimes later, on the night of the incident according to another hand written medical report it states Erik Mesunas 'doesn't recall being punched' and 'Doesn't recall coming in or event prior to being punched'. C.O. Mesunas gave a written testimony at my initial hearing, live testimony at my rehearing, and testified at length in front of the grand jury but for some odd reason declined to testify at my second rehearing due to lack of memory but ADA Vivian Joo allowed him to testify to hearsay under oath. ADA Vivian Joo had full knowledge that C.O. Aron J. Patterson withheld information during his testimony at the grand jury proceeding because in a memo dated 4/12/21 To the Captain's Office From Sgt J. Jarvis. Sgt J. Jarvis stated that 'Officer Patterson reported that he had observed officer Mesunas collapse to the ground and observed the inmate that was identified as [obscure] flee the incident area attempting to blend into the group of inmates. Officer Patterson described the inmate as having dreadlocks, slate green clothing, and what appeared to be white long Johns showing around his upper torso which was confirmed via video footage'. Officer Patterson also withheld this information at my initial hearing, at my rehearing and was denied the opportunity to testify at my second rehearing. ADA Vivian Joo allowed officer Patterson to withhold this information because the description of the inmate having dreadlocks is not my description and was information available to me. ADA Vivian Joo had full knowledge that Lt. Martin Snow's testimony was subjective and could potentially prejudice me and was otherwise false. Lt. Martin Snow did not testify at my initial hearing but testified at my rehearing that although he was present he did not identify me as alleged in the U.I report. He backtracked that statement at my second hearing stating he did in fact identify me contradicting Sgt King and impairing his credibility. ADA Vivian Joo also had full knowledge that investigator Robert Besaw's testimony was subjective because i was never identified from the poor quality surveillance video. Investigator Robert Besaw's testimony prejudice me along with the testimonies of Sgt Bryan Mason, C.O. Erik C. Mesunas, Aron J. Patterson, and Lt. Martin snow. These individuals are as liable as ADA Vivian Joo for launching this maliciously motivated prosecution.

In relation to this malice driven prosecution, Deputy supt. for security Reginald Bishop and inmate Records coordinator Hilary Deans wrongfully disclosed sensitive information and personnel records o ADA Vivian Joo. In memorandum dated July 1<sup>st</sup> 2021, address o ADA Vivian Joo, Reginald Bishop and Hilary Deans disclosed by OMH level and reversed and expunged determinations. On April 4, 2021, i was accused of violating prison rules refusing a direct order and Movement regulation violation this misbehavior report was dismissed without a hearing. On 12/10/19, i was accused of assaulting an inmate this charge was dismissed at the hearing. On 9/02/19, i was accused of assaulting an inmate this charge was dismissed at my hearing. On 7/17/19, i was accused of assaulting an officer this was reversed and expunged on Article 78. On 11/20/16, i was accused of assaulting an inmate this was dismissed without a hearing. On 8/22/15, i was accused of possessing contraband (weapon) this was reversed on Appeal. These informations were disclose for prosecution in violation of my rights because they were not supposed to be on my institutional record and my rights protected by HIPAA were also impaired due to the disclosure of my OMH (Office of Mental Health) level.

During my stay in the OMH accommodating setting program BHU IBC Terilee Stoddard and ORC Nicholas Tripodi only provide me with one international call in nearly 3 months in retaliation when they knew i was entitled to 2 international calls per month. Impairing my rights and inflicting unnecessary hardship they ignored complaints from my family and friends and set up the conspiracy patterns of Jamie Lovett and ORC Bryan in retaliation and abuse of their authority. There were no reasons for the deprivation of my international calls. Melissa Collins also ignored my verbal complaints because repeatedly informed her on her naunds that i was being deprived of my international calls to contact my family abroad she failed to take the necessary actions to insure that i got my international calls. The IGRC supervisor A. Mead and IGRC Sgt (John Doe# 2) did not process my complaint in regards to matter hereby impairing my rights. A/Superintendent Joseph Corey did not respond to my appeal and CORC also did not respond to my appeal.

On 7/8/21, i was admitted to BHU at Great Meadow corr. fac my property was processed on 7/10/21 by Correction Officer S.S. Tanton. I observed c.o. S.S. Tanton seal my property bags (6 bags in total) each bag had a seal number (2284755, 2284756, 2284757, 2284758, 2284759, and 2284760) and were placed in storage excluding the items and legal material i was allowed to store in my cell. On Monday, oct 27, 2021, my cell property was processed for draft (transfer) by c.o. Anthony Kubaryk in front of my cell location (BH-B-5) which amounted to 2 bags of property one of which had the seal number 2284793 and the other the do was either 2284792 or 2284794 totalling my over all property to 8 bags. O. Anthony Kubaryk motivated by evil motive or intent and recklessness went out 3 bags of my property (2284757, 2284760, and 2284792 or 2284794) in retaliation of the assault on C.O. Mesurias. I was unaware of O. Anthony Kubaryk actions until oct. 4, 2021 when my property was accessed at Marcy Com. fac. when i was informed that only 5 bags of property (2284793, 2284755, 2284756, 2284758, and 2284759) was delivered. The tags on the bags indicated that only 8 bags left Great Meadow corr. fac. and O. Anthony Kubaryk is the one who sealed and tagged my property bags. I filed a facility claim at Marcy corr. fac. # 490-0060-21) which is pending the Superintendent's response.

The DOCCS employees' at Clinton Corr. Fac. and Great Meadow corr. fac. conspired to inflict an "atypical and significant" hardship upon me due to the allegations made against me. But Great Meadow is where the retaliation, discrimination, abuse, torture, distress, emotional anguish, sadness, and depression hit its all time peak. Everywhere i was escorted correction officials would gather to talk about the incident and would point fingers at me and when the opportunities presented themselves they would taillate and inflict unnecessary hardships upon me. They harassed my visitors and stole funds out of the monies they left me i raised this issue in a grievance complaint (GM-0690-21) but that portion of the complaint was not addressed nor was i reimbursed the stolen funds. Their actions led to letdowns and emotional phone calls to my loved ones and they caused me to lapse after being sober for 5 years since June 3<sup>rd</sup>-2016 (a personal achievement I championed myself for). I turned to marijuana and synthetic marijuana and

obacco to cope with the circumstances i was subjected and every defendant named in this claim is liable for their actions. One event i'll never forget is when i informed DSS Armand carney of some of the retaliations i was enduring while he was escorting a C.A.N.Y. personnel through the SHU he responded 'what did you expect?' in regards to the retaliations. Some of the items that were lost due to C.O. Anthony kubaryk's negligence holds sentimental values to me like original pictures of my deceased father at my grandfather's gravesite or a large noble Quran that was gifted to me etc. These items could never be duplicated and no matter the outcome of this claim i'll never get them back. The retaliations became "atypical and significant" because it was consistent and lasted a lengthy period of time.

## B. EXHAUSTION OF ADMINISTRATIVE REMEDIES.

On April 19<sup>th</sup>-2021, i filed a grievance complaint in regards to transportation/Ramadan but i did not receive an acknowledgement or grievance # indicating that my complaint was being processed.

On April 21<sup>st</sup>-2021, i filed a grievance complaint in regards to a fabricated and falsified 'cell shield order', 'Modified feeding procedure quest form (phase one)', and 'Restraint order against Sgt K. Santos' he recommended these orders but i did not receive an acknowledgement or a grievance # indicating that my complaint was being processed.

On April 20<sup>th</sup>-21, i filed a grievance complaint in regards to a written misbehavior report with blanks that were filled in. I did not receive an acknowledgement or a grievance # indicating my complaint was being processed.

On June 24<sup>th</sup>-2021, i filed a complaint in regards to a fabricated misbehavior report alleging that i exposed myself to a female C.O. i never seen or met. I did not receive an acknowledgement or a grievance # indicating my complaint was being processed.

On July 1<sup>st</sup>-2021, i filed a complaint in regards to the acting dep.

i program and ORC Bryan depriving me of my international phone calls. did not receive an acknowledgement or a grievance # indicating my complaint was being processed.

On July 10<sup>th</sup> 2021, i filed a Complaint in regards to a fabricated misbehavior report. I did not receive an acknowledgement or a grievance indicating my complaint was being processed.

On July 23<sup>rd</sup>-2021, i filed another complaint in regards to the Notary Udic not being available to notarize my Notice of Intent to file a claim. did not receive an acknowledgement or a grievance # indicating my complaint was being processed.

On Aug. 27<sup>th</sup>-2021, i filed a complaint in regards to my Cell being search and my legal documents and bed linens being confiscated without a intraband receipt being left. I did not receive an acknowledgement or grievance # indicating my complaint was being processed.

On May 28<sup>th</sup>-2021, i filed a complaint in regards to my property. I did not receive an acknowledgement or a grievance # indicating my complaint was being processed.

On Aug. 31<sup>st</sup>-21, i filed a complaint against the IGRC supervisor Mead and the IGRC Sift for not processing my grievances. I did not receive an acknowledgement or a grievance # indicating my complaint was being processed.

On July 10<sup>th</sup>-2021, i filed another Complaint that was assigned a grievance # GM-0690-21 entitled 'housed in SHU Despite Mental alth Status' was my only complaint that was processed and is currently pending ORC decision (in regards to malfeasance and misconduct).

The disciplinary system and facility claim procedures does qualify as means of exhaustion of Administrative remedies.

## 7. RELIEF SOUGHT.

Claimant respectfully requests judgment against defendant Acting Commissioner Anthony J. Annucci and James O'Gorman in the sum of \$ 750,000 each for times spent in SHU, Subjecting me to retaliation by sending me to Great Meadow C.F., failing to appoint independent investigators, and after learning of the violations through reports and complaints they failed to remedy the wrongs thereby allowing to continue unconstitutional practices that were occurring and was grossly negligent in managing the subordinates who caused the unlawful events and failure to act on information indicating that unconstitutional acts were occurring. And claimant further requests that defendants Annucci and O'Gorman resign.

Claimant respectfully requests judgment against defendant DSS Reginald Bishop in the sum of \$ 750,000 for given orders that deprived me of liberty, safety and that could've potentially deprived me of life and that conflicted with the practice of my religion. And for the wrongful disclosure of sensitive information and expunged personnel record to ADA Vivian Joo for prosecution. So claimant further requests that defendant Bishop resign.

Claimant respectfully requests judgment against inmate records coordinator Hillary Deans in the sum of \$ 75,000 for the wrongful disclosure of sensitive information and expunged personnel record to ADA vivian Joo for prosecution. And claimant further requests that defendant Deans resign.

Claimant respectfully requests judgment against defendant Christopher Miller in the sum of \$ 340,000 for approving the cell shield order, modified bidding procedure (phase one) order, and restraint order in retaliation, and as member of the executive team after learning of the violations through reports and complaints he failed to remedy the wrongs thereby allowing to continue unconstitutional practices that were occurring and was grossly negligent managing the subordinates who caused the unlawful events and failure to act on information indicating that unconstitutional acts were occurring.

Claimant respectfully requests judgment against defendant Joseph Lorey

the sum of \$ 340,000 as a member of the executive team after learning of the violations through reports and complaints he failed to remedy the wrongs thereby allowing to continue unconstitutional practices that were occurring and was grossly negligent in managing the subordinates who caused the unlawful events and failure to act on information indicating that unconstitutional acts were occurring. And Claimant further requests that defendant Joseph Corey resign.

Claimant respectfully requests Judgment against defendant(s) Randy Ross, Armand Loring and Colin Frazer in the sum of \$ 340,000 each as members of the executive team after learning of the violations through reports and complaints they failed to remedy the wrongs thereby allowing to continue unconstitutional practices that were occurring and was grossly negligent in managing the subordinates who caused the unlawful events and failure to act on information indicating that unconstitutional acts were occurring. And Claimant further requests that defendant(s) Randy Ross, Armand Loring and Colin Frazer resign.

Claimant respectfully requests Judgment against defendant Melissa Collins in the sum of \$ 340,000 as a member of the executive team and DSMH after learning of the violations through reports and complaints she failed to remedy the wrongs thereby allowing to continue unconstitutional practices that were occurring and was grossly negligent in managing the subordinates who caused the unlawful events and failure to act on information indicating that unconstitutional acts were occurring. And Claimant further requests that defendant Melissa Collins resign.

Claimant respectfully requests Judgment against defendant Danielle Dill-Lewis in the sum of \$ 340,000 as OMT unit chief and a member of MC or JMCC after learning of the violations through reports and complaints she failed to remedy the wrongs thereby allowing to continue unconstitutional practices that were occurring and was grossly negligent in managing the subordinates who caused the unlawful events and failure to act on information indicating that unconstitutional acts were occurring. And Claimant further requests that defendant Danielle Dill-Lewis resign.

Claimant respectfully requests Judgment against defendant(s) Jamie Lovett and ORC Bryan in the sum of \$5,000 each for conspiring to deprive me of my international phone call in retaliation and discriminating against me. Jamie Lovett, a member of the executive team after learning of the violations through reports and complaints she failed to remedy the wrongs hereby allowing to continue unconstitutional practices that were occurring and was grossly negligent in managing the subordinates who caused the unlawful events and failure to act on information indicating that unconstitutional acts were occurring. And claimant further requests that defendant(s) Jamie Lovett and ORC Bryan resign.

Claimant respectfully requests Judgment against defendant Lt. Martin Snow in the sum of \$ 400,000 for giving subjective testimonies at the Grand Jury proceedings and superintendent hearings which prejudice me and inflicted an atypical and significant hardship as a result of the sanctions imposed and conspiring to deprive me of Clemency. And claimant further requests that defendant Lt. Martin Snow resign.

Claimant respectfully requests Judgment against defendant Sgt. Gregory King in the sum of \$ 400,000 for authoring a subjective misbehavior report and giving false subjective testimonies at my superintendent hearing and conspiring to deprive me of Clemency inflicting an atypical and significant hardship as a result of the sanctions imposed. And claimant further requests that defendant Sgt. Gregory King resign.

Claimant respectfully requests Judgment against defendant Aron J. Patterson in the sum of \$ 400,000 for giving false testimonies and withholding crucial information during his testimonies thereby prejudicing me and conspiring to deprive me of Clemency inflicting an atypical and significant hardship as a result of the sanctions imposed. And claimant further requests that defendant Aron J. Patterson resign.

Claimant respectfully requests Judgment against defendant Erik Messunas in the sum of \$ 400,000 for giving false statements to police and false testimonies at the Grand Jury proceedings and Superintendent

earnings and conspiring to deprive me of Clemency inflicting an atypical and significant hardship as a result of the sanctions imposed. And claimant further requests that defendant Erik C. Mesunias resign.

Claimant respectfully requests judgment against defendant Sgt. Bryan Mason in the sum of \$ 400,000 for falsifying a misbehavior report and testifying at the Grand Jury proceedings to the content of that fabricated misbehavior report and conspiring to deprive me of Clemency. And claimant further requests that defendant Sgt. Bryan Mason resign.

Claimant respectfully requests judgment against defendant Sgt. John Doe#1 in the sum of \$ 500,000 for endangering my health and impairing my religious rights. And claimant further requests that defendant Sgt. John Doe#1 resign.

Claimant respectfully requests judgment against defendant Sgt. Kevin Santo in the sum of \$ 1,000,000 for fabricating the cell shield order, modified feeding procedure (phase one) order, and restraint order and conspiring to inflict an atypical and significant hardship which interfered with my religious practices. And claimant further requests that defendant Sgt. Kevin Santo resign.

Claimant respectfully requests judgment against defendant Sgt. Darnell Moore in the sum of \$ 380,000 for falsifying the cell shield order, modified feeding procedure (phase one) order, and restraint order renewals and conspiring to inflict an atypical and significant hardship which interfered with my religious practices. And claimant further requests that defendant Sgt. Darnell Moore.

Claimant respectfully requests judgment against defendant Sgt. Christopher Gree in the sum of \$ 380,000 for falsifying the cell shield order, modified feeding procedure (phase one) order, and restraint order renewals and conspiring to inflict an atypical and significant hardship which interfered with my religious practices. And claimant further requests that defendant

5pt. Christopher Lasree resign.

Claimant respectfully requests Judgment against defendant Keegan Fredricks in the sum of \$ 80,000 for fabricating a misbehavior report against me, violating my rights to clinician-patient confidentiality and conspiring to retaliate against me. And Claimant further requests that defendant Keegan Fredricks resign.

Claimant respectfully requests Judgment against defendant Erica Rizzo in the sum of \$80,000 for fabricating a misbehavior report against me, humiliating me and conspiring to retaliate against me. And Claimant further requests that defendant Erica Rizzo resign.

Claimant respectfully requests Judgment against defendant Jamie Williams in the sum of \$200,000 for denying me access to the Courts and conspiring to retaliate against me. And Claimant further requests that defendant Jamie L. Williams resign.

Claimant respectfully requests Judgment against defendant K. Henley in the sum of \$50,000 for violating my rights of due process and imposing harsh sanctions that were not supported by substantial evidence. And Claimant further requests that defendant K. Henley resign.

Claimant respectfully requests Judgment against defendant George Murphy in the sum of \$850,000 for violating my rights of due process, imposing harsh sanctions that were not supported by substantial evidence, conspiring to interfere with the exhaustion of my administrative remedies, and denying me access to the courts. And Claimant further requests that defendant George Murphy resign.

Claimant respectfully requests Judgment against defendant Eric Velle in the sum of \$550,000 for retaliating against me, illegally confiscating my jail documents and bed linens, conspiring to interfere with the exhaustion of my administrative remedies, and denying me access to the courts. And Claimant further requests that defendant Eric Velle resign.

Claimant respectfully requests judgment against defendant Anthony Villano in the sum of \$ 550,000 for retaliating against me, illegally confiscating my legal documents and bed linens, conspiring to interfere with the exhaustion of my administrative remedies, and denying me access to ~~about~~ the Courts. And claimant further requests that defendant Anthony Villano resign.

Claimant respectfully requests judgment against defendant A. Mead in the sum of \$ 1,000,000 for retaliating against me, conspiring to interfere with the exhaustion of my administrative remedies, attempting to silence me, and denying me access to the Courts. And claimant further requests that defendant A. Mead resign.

Claimant respectfully requests judgment against defendant John Doe # 2 in the sum of \$ 1,000,000 for retaliating against me, conspiring to interfere with the exhaustion of my administrative remedies, attempting to silence me, and denying me access to the Courts. And claimant further requests that defendant John Doe # 2.

Claimant respectfully requests judgment against defendant I. Barbosa in the sum of \$ 500,000 for violating my rights ~~due~~ of due process and imposing harsh sanctions that were not supported by substantial evidence. And claimant further requests that defendant I. Barbosa resign.

Claimant respectfully requests judgment against defendants Terilee Stoddard and Nicholas Tripodi in the sum of \$ 100,000 each for retaliating against me, ignoring complaints from my loved ones, depriving me of my international phone calls. And claimant further requests that defendant(s) Terilee Stoddard and Nicholas Tripodi resign.

Claimant respectfully requests judgment against defendant Anthony Kubark in the sum of \$ 100,000 for retaliating against me and destroying my property and denying me access to the Courts. And claimant further requests that defendant Anthony Kubark resign.

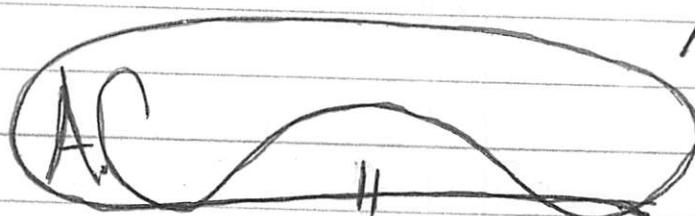
Claimant respectfully requests judgment against defendant Philippe Bien-Aime in the sum of \$ 80,000 for fabricating a misbehavior report against me, and conspiring to retaliate against me. And claimant further requests that defendant Philippe Bien-Aime resign.

Claimant respectfully requests judgment against defendant Vivian Joo in the sum of \$ 1,422,350 for launching a malicious prosecution. And claimant further requests that defendant Vivian Joo resign.

Claimant respectfully requests ~~judgment against defendant~~ that the court abolish the use of the cell shield, modified feeding procedures, restraints, pre-hearing confinement and special housing units to prevent them from being misused as tools of punishments. And that Doccs pays the all costs of rehab upon my release. Claimant respectfully requests a jury trial and appointment of counsel.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 1st February 2022.

A handwritten signature consisting of the letters "AC" enclosed in a circle, followed by a stylized, flowing line that extends to the right.

Ali Cisse...